

OCT 02 2006

Appln. No. 10/767,565

Attorney Docket No. 12195-004

II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claim Rejections - 35 U.S.C. § 112

Claims 11, 13, 14, 21, and 24-32 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter.

Regarding claim 11, it would be understood by one of ordinary skill in the art that the sheet is freely retained as the sheet is not pre-fixtured for example, by pre-clamping the sheet in place or forming holes in the sheet and locating the sheet on posts.

Regarding claim 27, it would be understood by one of ordinary skill in the art that REN board is a term used for modeling board in the industry of prototype tool construction. This type of board is typically made of a polyurethane material that is easily machined and may also be easily patched for repair. One such brand of REN board is REN Shape®.

Regarding claim 21, the claims have been amended to replace "Azdel" with "approximately 55% glass fiber and 45% polypropylene resin."

Claim 29 has been amended to correct the typographical error noted by the examiner.



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Claim Rejections - 35 U.S.C. §103(a)

Claims 11, 13, 14, 21, 24-26, and 28-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,932,331 to Jones et al. (Jones) and U.S. Patent Application 2004/0217523 to Benninger (Benninger).

The Applicant respectfully submits the attached Declaration of Donald R. Gearhart under 37 C.F.R. §1.131, which evidences the conception of the claimed invention prior to April 29, 2003, (the 102(e) date of the Benninger reference) and an actual reduction to practice of the claimed invention, also prior to April 29, 2003. Therefore, Applicant respectfully submits that the Benninger reference is not prior art under 35 U.S.C. §102, and therefore cannot form the basis for a §103(a) rejection. Accordingly, the Applicant respectfully requests that the Examiner reconsider and withdraw the rejections under §103.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of



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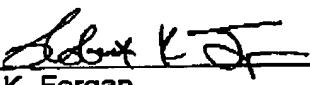
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record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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